

CLERK'S OFFICE U.S. DIST. COURT  
AT LYNCHBURG, VA  
FILED  
APR 25 2008  
In O'ville

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# UNITED STATES DISTRICT COURT

for the

Western District of Virginia

United States of America

v.

Deeorman Lee Saunders

Date of Previous Judgment: July 12, 2001

(Use Date of Last Amended Judgment if Applicable)

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Case No: 4:99CR70080-003

USM No: 08240-084

Defendant's Attorney

## Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of  the defendant  the Director of the Bureau of Prisons  the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

**IT IS ORDERED** that the motion is:

DENIED.  GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 63 months is reduced to 60 months.

### I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 25

Amended Offense Level: 23

Criminal History Category: II

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Previous Guideline Range: 63 to 78 months

Amended Guideline Range: 60\* to 63 months

### II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- The reduced sentence is within the amended guideline range.
- The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- Other (explain): \_\_\_\_\_

### III. ADDITIONAL COMMENTS

The Government has objected to a reduction based on aspects of Defendant's pre- and post-sentencing conduct. Finding that the pre-sentencing conduct is adequately accounted for under the amended guideline range and that the post-sentencing conduct is adequately addressed by Bureau of Prisons procedures, and upon consideration of the factors set forth in 18 U.S.C. § 3553(a) and U.S.S.G. § 1B1.10, the Government's objections are overruled and Defendant's sentence is reduced as provided above.

\*Bottom of range is a statutory minimum

Except as provided above, all provisions of the judgment dated 7/12/2001 shall remain in effect.

**IT IS SO ORDERED.**

Order Date: April 25, 2008

Norman K. Moon

Judge's signature

Effective Date: \_\_\_\_\_  
(if different from order date)

Norman K. Moon, United States District Judge

Printed name and title